

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

DELPHI CORPORATION *et al.*,  
Plaintiffs.

Chapter 11

Case No. 05-44481 (RDD)  
(Jointly Administered)

**ORDER ESTABLISHING CERTAIN PROCEDURES WITH RESPECT TO PENDING  
MOTIONS TO DISMISS ADVERSARY PROCEEDINGS**

Upon letter request by DPH Holdings Corporation and certain of its affiliated reorganized debtors (collectively, the “Plaintiffs”), by their counsel and pursuant to Fed. R. Bankr. P. 9006, and with the consent of Defendants with pending motions to dismiss, as well as certain other Defendants, for the Court’s endorsement of certain procedures, identified below, coordinating the scheduling and resolution of motions to dismiss the avoidance actions set forth in Exhibit A in these bankruptcy cases (Avoidance Actions”) that are filed on or before May 14, 2010; and counsel for the Plaintiffs having represented that no Defendants have opposed such procedures; and it appearing that the requested procedures are in the best interest of the parties and the Court; and notice of Plaintiffs’ letter requesting such procedures having been provided to consenting Defendants; and such letter having been electronically filed in all the Avoidance Actions; and no further or other notice of such letter being required; and sufficient cause appearing, it is hereby **ORDERED** that the following schedule and procedures shall govern the following motions to dismiss in the Avoidance Actions (“Dismissal Motions”):

1. For those Defendants whose time to respond to the Avoidance Action complaints would otherwise run on or before May 14, 2010, Dismissal Motions shall instead be due to be filed and served (with a copy to chambers) no later than May 14, 2010. (Any Dismissal Motion that is filed and served on or before May 14, 2010 is hereinafter referred to as a “First Wave Dismissal Motion.” Any Dismissal Motion that is filed and served after May 14, 2010 is hereinafter referred to as a “Second Wave Dismissal Motion”);

2. The currently scheduled hearings on pending Dismissal Motions, on May 17 and June 7, 2010, shall be adjourned to an omnibus hearing to be held on July 22, 2010, which shall be the scheduled hearing date for all First Wave Dismissal Motions;

3. Plaintiffs shall have the right to file and serve (with a copy to chambers), on or before June 7, 2010, a single Objection of up to fifty (50) pages in response to all First Wave Dismissal Motions;

4. The Moving Defendants and any other Defendants that may file a First Wave Dismissal Motion (collectively, the "First Wave Movants") shall have the right to file and serve (with a copy to chambers), on or before July 2, 2010, any reply briefs to such Objection. For the avoidance of doubt, two or more First Wave Movants may, but shall not be required to, file and serve a combined reply brief, and such movants may file and serve joinder(s) in other such reply briefs; and

5. The Court shall determine on a future date the procedures governing any Second Wave Dismissal Motions.

Dated: White Plains, New York  
April 23, 2010

/s/Robert D. Drain  
HON. ROBERT D. DRAIN  
UNITED STATES BANKRUPTCY JUDGE